



# STATE OF MINNESOTA

## Office of Governor Mark Dayton

130 State Capitol ♦ 75 Rev. Dr. Martin Luther King Jr. Boulevard ♦ Saint Paul, MN 55155

May 25, 2011

The Honorable Michelle L. Fischbach  
President of the Senate  
226 State Capitol  
St. Paul, Minnesota 55155

Dear Madam President:

I have vetoed and am returning Chapter 88, Senate File 1308, an act proposing an amendment to the Minnesota Constitution; adding a section to article XIII; recognizing marriage as only a union between one man and one woman.

Although I do not have the power to prevent this divisive and destructive Constitutional Amendment from appearing on the Minnesota ballot in November 2012, the Legislature sent it to me in the form of a bill. Thus, symbolic as it may be, I am exercising my legal responsibility to either sign it or veto it. Without question, I am vetoing it; and I urge Minnesotans to reject this mean-spirited, divisive, un-Minnesotan and un-American amendment.

One of the founding principles of our country, embodied in the First Amendment of the United States Constitution, is the separation of church and state. Therefore, the religious definition of marriage should be the province of each established religion, without interference from government.

However, the civil, or legal, realm of marriage is the province of government; and it must conform to the protections and guarantees afforded every American citizen under our Constitution. The Fourteenth Amendment says, "No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; . . . nor deny to any person within its jurisdiction the equal protection of the laws."

In other words, all American citizens are entitled to equal rights and protections under the law. That would clearly include the right of a citizen to marry legally the person he or she loves.

The path of social progress in this country has been to expand our founding principles to everyone. Even before the writing of the Constitution, even before their freedom was won, this country's founders established the core principle of our

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democracy: "We hold these truths to be self-evident, that all men (and women) are created equal, that they are endowed by their Creator with certain unalienable rights, that among these are Life, Liberty and the pursuit of Happiness. That to secure these rights, Governments are instituted . . . ."

The authors and signers of the Declaration of Independence thus intended that governments be formed to secure every citizen's rights, not to selectively deny them or take them away. Of course, they overlooked women, African Americans, and others in their application of those equal rights. The path of social progress has been to include everyone, fully and equally.

This path of social progress, of human compassion and understanding, would be tragically reversed by this amendment. Minnesota is better than this. Minnesotans are better than this. I urge Minnesotans to reject this amendment.

Sincerely,



Mark Dayton  
Governor

cc: Senator Amy T. Koch, Majority Leader  
Senator Thomas M. Bakk, Minority Leader  
Senator Warren Limmer  
Representative Kurt Zellers, Speaker of the House  
Representative Paul Thissen, Minority Leader  
Representative Steve Gottwalt  
The Honorable Mark Ritchie, Secretary of State  
Mr. Cal R. Ludeman, Secretary of the Senate  
Mr. Albin A. Mathiowetz, Chief Clerk of the House of Representatives